RESOLUTIONS (contd.)

19. Power of appointments in Municipalities.

Mr. A. Eachara Menon *(Chittur Rural).* —Sir, The resolution that stands in my name reads thus:— *"This Council recommends to the Government that the power of appointments in Municipalities be restored to the Municipalities with the injunction that they should also follow the rule adopted by the Staff Selection Board."*

Sir, the intention of this resolution is not to give the power of appointment to the Chairman that they may loom large, in the public eye. It will be found in practice that the method now followed is quite unsuitable to the working of the Municipalities. In my Municipality, Chittur, Sir, there had been a case of an appointment of a bill collector for 3 months, who took charge on 9-4-1113 to 9-7-1113. The balance in that quarter came to Rs. 1676-12-8. Such a high balance that Municipality had never before. It cannot be more than Rs. 200 or Rs. 300 at the most per quarter. There had never been an instance like that. The appointee being an outsider was not able to know the places. He was seen standing by me one day on a junction of three roads with books in his hand, not knowing where to go and what to do. I asked him who he was and he told me that he was a bill collector. He also told me his difficulties. So I asked a maistry passing by to help him in showing the houses. There is nothing provocative or sinister in this. I want only to allow the Municipality to make appointments as per the Staff Selection Board rules.

Mr. President.—I should like to know what exactly is in the mind of the Hon'ble Member. Is it that the Municipality is to be instructed to follow the rules?

Mr. A. Eachara Menon *(Chittur Rural).*— My intention is that the appointments should be made by the Municipality according to the Staff Selection Board rules.

Mr. T. K. Nayar *(Pazhayannur).*— So, the Municipal Council should be a Staff Selection Board.

Mr. President.—Our difficulty is that a technical body with three senior officers of Government, functioning as Staff Selection Board find it extremely difficult to apply the complicated rules and that is clear from the number of questions asked in the House regarding appointments. In spite of the best efforts made by them, they are criticised and we want to

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know what the Hon'ble Member has in his mind when he said that the Municipality may be instructed to follow these technical rules.

Mr. A. Eachara Menon *(Chittur Rural)*.—There may not be many applications there. And moreover appointments will be only for a very short time for three or four months and all such appointments should be made by the Municipality. There are practical difficulties in the way in which appointments are made now. I wanted to place them before the Government.

Mr. President.—Anybody seconding the resolution?

Mr. V. K. Krishnankutty *(Anthikad)*.— He wanted just to bring it to the notice of the Government.

* **Mr. T. K. Nayar** *(Pazhayannur)*.—Sir, I oppose the motion. പബ്ളിക്ക സർവ്വീസ് കമ്മീഷൻ ഈ കൊച്ചീ രാജ്യത്തു വേണ്ട എന്നുള്ള ഒരു പ്രമേയം അവതരിപ്പിച്ച ആളാണു ഞാൻ. എന്നാൽ അതു അനുശാസിച്ചതിലും വ്യത്യാസപ്പെട്ട ചില രൂപകളോടുകൂടി ഒരു സ്റ്റാഫ് സിലക്ഷൻ ബോർഡായിട്ട ഏർപ്പെടുത്തി അവസാനിപ്പിച്ചു. നിയമസഭയിൽ ഒ മണിക്കൂറിലധികം ജോലിയുള്ളതിൽ കുറെ ഭാഗം നാട്ടുകാർക്ക ഉപകാരമായിട്ട പ്രവൃത്തിക്കുവാൻ വേണ്ടിയുള്ള സൌകര്യം ദിവാൻ ജിയവർകൾ ഉണ്ടാക്കിത്തന്നതിൽ ഞങ്ങൾക്ക വളരെ സന്തോഷമുണ്ട്. ഈ നിയമസഭയിൽ തന്നെ ഒരു സംഗതി കൂടി എനിക്ക ധരിപ്പിച്ചാൽ കൊള്ളാമെന്നുണ്ട്. അതായതു് ഈ സ്റ്റാഫ് സിലക്ഷൻ ബോർഡിന്റെ നിയമത്തിൽ എന്താണു തെറ്റുള്ളതെന്നുവച്ചാൽ അതു തിരുത്തി, മിസ്റ്റർ പണിക്കരുടെ ചോദ്യങ്ങളനുസരിച്ചുള്ള വ്യത്യാസങ്ങൾകൂടി വരുത്തിക്കണ്ടാൽ കൊള്ളാമെന്നുണ്ട്. (ചിരി)

സ്റ്റാഫ് സിലക്ഷൻ ബോർഡിലെ പ്രവൃത്തി ഇനി മുനിസിപ്പാലിറ്റിക്ക വിട്ടുകൊടുത്തു അതുവഴിക്ക രൂപപ്രകാരം ഓരോ ഉദ്യോഗസ്ഥമേധാവികളും അവരുടെ ഡിപ്പാർട്ടുമെണ്ടുകളിലെ നിയമനങ്ങൾ നടത്തിയാൽ മതിയെന്ന വക്കുകയാണെങ്കിൽ കശപിശകൾ വളരെ വർദ്ധിക്കും. സ്റ്റാഫ് സിലക്ഷൻ ബോർഡു ഇപ്പോൾ പ്രവൃത്തിച്ചുവരുന്ന രീതിയിൽതന്നെ പലവിധ കുഴപ്പങ്ങളുണ്ടെന്നും ആ വക കുഴപ്പങ്ങളെ ഇല്ലാതാക്കണമെന്നും പല ചോദ്യങ്ങളും എന്റെ മാന്യ സ്നേഹിതന്മാർ ഇവിടെ ചോദിച്ചിട്ടുണ്ട്. അതുകൊണ്ട് ഇപ്പോഴിരിക്കുന്ന തരത്തിൽത്തന്നെ വച്ചുകൊണ്ട് സ്റ്റാഫ് സിലക്ഷൻ ബോർഡിലെ കശപിശകൾ അവസാനിപ്പിച്ചു അതിലെ രൂപകളെ ഒന്നുകൂടി ശക്തിപ്പെടുത്തി ഉദ്യോഗസ്ഥന്മാർക്ക അതിൽ യാതൊന്നും ചെയ്യുവാൻ തരമില്ലാതാക്കി മറ്റു സമുദായക്കാരെ രക്ഷിക്കണമെന്നു മാത്രമേ ഞാൻ അപേക്ഷിക്കുന്നുള്ളൂ.

* Speech not corrected by the Hon'ble Member.

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Mr. K. P. Kannan Nayar *(Secretary to Government).*— I do not think any long speech on this resolution is necessary. The important point has been already explained by the Hon'ble President in his capacity as the Diwan and from the way in which the non-official Member for Pazhayannur has spoken about this resolution, I do not think it is necessary for me to say anything further against this resolution. Now, the cry throughout was that the power of appointment should be taken from the Heads of Departments. That was the cry from the very beginning and ever since this Council came into being. The cry was that nepotism was going on, autocracy was ruling and the power of appointment should be taken away from the Heads of Departments. To some extent that power has been taken away by Government and the power of recommendation has been given to a body constituted of 3 senior officers of Government and so far as the officers themselves are considered, under the rules now framed for their guidance, they cannot do anything arbitrarily in that matter. They can only select the candidates coming within those rules. For exercising any individual discretion they have absolutely no power. And yet in spite of the scrupulous working of those rules, we are hearing criticisms very often about the working of this body. It is at this stage that the hon'ble member comes forward with a resolution that the power of appointment so far as the Municipalities are concerned should be handed over to the Municipalities themselves. So far as the municipalities are concerned, their requests seem to be this. 'We are also willing to conform to the rules. We are also willing to see that the selection is made from amongst the candidates within the Municipality itself. That is what the Staff Selection Board is doing even now. Give us this power back.' They are appointing only persons within the jurisdiction of the Municipality as far as possible. Of course, if there is no candidate, qualified within the Municipality in a particular community, probably they may have to select an outsider. In every respect they are trying to satisfy the requirements of the Municipalities. Now there is another difficulty. As the Hon'ble the President pointed out, which body is to be the Staff Selection Board so far as the Municipalities are concerned? Is it the whole Council and Chairman together or is it the Chairman himself? It would be rather embarassing and especially in the case of elective bodies who depend for their existence upon the votes of others. Would it not be embarrasing for them to have this power of appointment, supposing the Council is constituted as a body for selection, if the majority voice is to be accepted. Otherwise it will

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be most difficult for each Council, because in every other respect, it is the majority view that is followed. I think the Hon'ble Members are aware of the demand made that in the case of even aided school teachers this power of appointment should be given to the Staff Selection Board. . . . .

Mr. A. V. Moothedan *(Chalakkudi).*—Who demanded?

Mr. K. P. Kannan Nayar *(Secretary to Government).*—There has been such a request. I think there has been a resolution.

Mr. A. V. Moothedan *(Chalakkudi).*—Was that resolution moved here?

Mr. K. P. Kannan Nayar *(Secretary to Government).*—I do not know whether it was moved or not. It came up before the Government for consideration.

Mr. A. V. Moothedan *(Chalakkudi).*—No such resolution was moved here.

Mr. A. Narayana Menon *(Vyttila).*—Please see Resolution No. 63.

Mr. A. V. Moothedan *(Chalakkudi).*—Has he moved it?

Mr. K. P. Kannan Nayar *(Secretary to Government).*—Now there is such a demand before the Council and when such is the demand, this demand that Municipalities should be given this power of appointment, is a thing which the House could not accept. Nothing more is necessary from me so far as this resolution is concerned. So far as the disciplinary action and the other powers over the officers are concerned, the Municipalities can exercise them when the appointments are made. It is only the power of selection that is handed over to the Staff Selection Board. I do not think it does any harm. Therefore, I request the Hon'ble Member not to press this resolution.

Mr. A. Eachara Menon *(Chittur Rural).*—We were famous for our collection and if the Government want us not to show big arrears, I request that Government will allow the Municipalities to fill up short-term vacancies. I do not press the resolution. I may be allowed to withdraw it.

Resolution was, by leave, withdrawn.

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